

**United States District Court**  
**For The Western District of North Carolina**

UNITED STATES OF AMERICA

V.

TXAMY LY

**JUDGMENT IN A CRIMINAL CASE**  
 (For Offenses Committed On or After November 1, 1987)

Case Number: 2:05mj224

USM Number:

Andrew Banzhoff

Defendant's Attorney

**FILED**  
 IN COURT  
 ASHEVILLE, N. C.

DEC 15 2005

## THE DEFENDANT:

- ☒ pleaded guilty to count(s) ONE.  
☐ Plead nolo contendere to count(s) which was accepted by the court.  
☐ Was found guilty on count(s) after a plea of not guilty.

U. S. DISTRICT COURT  
 W. DIST. OF N. C.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
16 USC 3372(a)(1), 3373(d)(2); 18:2	Violation of Lacey Act	09/17/05	ONE

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☐ The defendant has been found not guilty on count(s).  
☐ Count(s) (is)(are) dismissed on the motion of the United States.

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: December 12, 2005

  
 \_\_\_\_\_  
 Signature of Judicial Officer

Dennis L. Howell  
 United States Magistrate Judge

Date: December 15, 2005

Defendant: TXAMY LY

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### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments.

ASSESSMENT	FINE	RESTITUTION
\$25.00	\$250.00	\$7,200.00

### FINE

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

- ☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

### COURT APPOINTED COUNSEL FEES

- ☐ The defendant shall pay court appointed counsel fees.
- ☐ The defendant shall pay \$\_\_\_\_\_ towards court appointed fees.

### ADDITIONAL CONDITIONS

- ☒ The defendant is jointly and severally liable with co-defendants for the total amount of expense of interpreter services.
- ☒ The defendant is banned from all federal lands except for use of main thoroughfares for a period of TWO (2) YEARS.
- ☒ Defendant is not to possess, take, or obtain any natural products that belong to the United States.
- ☒ The knife seized is forfeited to the United States.

The Court finds the following:

Total Offense Level of 5 with a Criminal History Level of 0.

Defendant: TXAMY LY  
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## RESTITUTION PAYEES

The defendant shall make restitution to the following payees in the amounts listed below:

<u>NAME OF PAYEE</u>	<u>AMOUNT OF RESTITUTION ORDERED</u>
Great Smoky Mountains National Park	\$7,200.00

- ☒ The defendant is jointly and severally liable with co-defendants for the total amount of restitution. **Restitution is to be paid directly to the Great Smoky Mountains National Park.**
- ☐ Any payment not in full shall be divided proportionately among victims.